

**KENDALL COUNTY FOREST PRESERVE DISTRICT
COMMISSION MEETING MINUTES**

NOVEMBER 1, 2016

I. Call to Order

President Wehrli called the meeting to order at 6:00 pm in the Kendall County Board Room.

II. Pledge of Allegiance

All present recited the Pledge of Allegiance.

III. Invocation

Commissioner Prochaska offered an invocation for the meeting.

IV. Roll Call

Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell Shaw, and Wehrli all were present.

V. Approval of Agenda

Commissioner Flowers made a motion to approve the agenda as presented. Seconded by Commissioner Prochaska. Aye, all. Opposed, none.

VI. Citizens to Be Heard

No public comments were offered by citizens present at the meeting.

VII. Approval of Minutes

Kendall County Forest Preserve Commission Meeting – October 18, 2016
Kendall County Forest Preserve District Finance Committee Meeting - October 27, 2016

Commissioner Cullick made a motion to approve the meeting minutes for the Forest Preserve Commission meeting held on October 18, 2016, and the Forest Preserve Finance Committee meeting held on October 27, 2016. Seconded by Commissioner Prochaska.

All, aye. Opposed, none. Motion unanimously approved.

VIII. Approval of Claims in an Amount Not-to-Exceed \$15,118.60.

Commissioner Cullick made a motion to approve claims in an amount not-to-exceed \$15,118.60. Seconded by Commissioner Prochaska.

Roll call: Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, and Wehrli, aye. Opposed, none.

IX. Motion Approving a Temporary Construction Easement to the Kendall County Highway Department to Provide Needed Access for Completion of Fox Road Bridge Improvements within the Adjacent Hoover Forest Preserve in the Amount of \$10.00.

Commissioner Cullick made a motion to approve a temporary construction easement to the Kendall County Highway Department to provide needed access for completion of Fox Road bridge improvements within the adjacent Hoover Forest Preserve in the amount of \$10.00. Seconded by Commissioner Gryder.

Director Guritz presented an exhibit showing the location of the temporary easement, with a recommendation for approval.

Roll call: Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, and Wehrli, aye. Opposed, none.

X. Motion to Approve an Intergovernmental Agreement with the Rob Roy Drainage District Regarding Levies and Maintenance Activities within Kendall County Forest Preserve District and the Withdrawal of Objections in Kendall County Circuit Court Case No. 75 MC1

Commissioner Cullick made a motion to approve the intergovernmental agreement with the Rob Roy Drainage District and the withdrawal of objections in Kendall County Circuit Court Case No. 75 MC1. Seconded by Commissioner Shaw.

President Wehrli thanked Assistant State's Attorney Berrault for the development of the intergovernmental agreement.

Assistant State's Attorney Berrault reported that the Rob Roy Drainage District board had reviewed the agreement, and requested minor revisions including a request for joint indemnification language, and the ability to enter District property to address drainage issues to address an emergency situation. The agreement, once approved by both Boards, will need to be presented to the circuit court judge for approval.

Impacts to District lands will require restoration to a condition acceptable to the District.

Commissioner Koukol inquired into the amount of the District's assessment. Attorney Berrault reported that the District will be required to pay the annual assessment, but is not required to pay the special assessment. The anticipated annual assessment is just over \$800.00. The District would have the ability to object to future assessments.

Commissioner Purcell inquired into what constitutes an emergency that would allow the Drainage District to enter District property. President Wehrli stated that the most likely scenario would be a situation with deadfall blocking the creeks causing upstream flooding.

Commissioner Gilmour asked whether an additional \$800.00 would be assessed by the Morgan Creek Drainage District. Attorney Berrault reported that the assessment for the Rob Roy Creek Drainage District is \$24.40, and the assessment for the Morgan Creek Drainage District is \$843.43.

Roll call: Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Prochaska, Shaw, and Wehrli, aye. Opposed, Commissioners Koukol and Purcell. Motion carried by a vote of 8 to 2.

XI. Motion to Approve an Intergovernmental Agreement with the Morgan Creek Drainage District Regarding Levies and Maintenance Activities within Kendall County Forest Preserve District and the Withdrawal of Objections in Kendall County Circuit Court Case No. 14 MC1

Commissioner Gryder made a motion to approve the intergovernmental agreement with the Morgan Creek Drainage District and the withdrawal of objections in Kendall County Circuit Court Case No. 14 MC1. Seconded by Commissioner Cullick.

Attorney Berrault reported that this second agreement is identical to the Rob Roy Drainage District agreement.

Roll call: Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Prochaska, Shaw, and Wehrli, aye. Opposed, Commissioners Koukol and Purcell. Motion carried by a vote of 8 to 2.

XII. Motion to Approve a Proposal from Prairie Moon Nursery for the Purchase of Savanna Seed ix for Fox River Bluffs Forest Preserve for an Amount Not-to-Exceed \$2,000.00.

Commissioner Cullick made a motion to approve a proposal from Prairie Moon Nursery for the purchase of savanna seed mix for Fox River Bluffs Forest Preserve for an amount not-to-exceed \$2,000.00. Seconded by Commissioner Flowers.

Director Guritz reported that the purchase is reimbursable under the terms of the District's grant agreement with the Illinois Clean Energy Community Foundation. The purchase of seed will close out the grant. The District has received reimbursement in the amount of \$600,000 from the Foundation for support of the Fox River Bluffs acquisition.

Commissioner Davidson asked whether the cost was just for the seed mix. Director Guritz stated that the total amount is for a savanna-mix seed.

Commissioner Davidson asked how long the seed will remain viable. Director Guritz stated that the seed will remain viable for at least two years, and that District staff will disburse the seed within this timeframe.

Commissioner Purcell asked how large an area will be covered with the application. Director Guritz stated that the seed will cover approximately 3 acres along the woodland edge border at Fox River Bluffs with a sparse application.

Roll call: Commissioners Cullick, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, and Wehrli, aye. Opposed, Commissioner Davidson. Motion carried by a vote of 9 to 1.

XIII. Executive Session

Commissioner Cullick made a motion to enter into executive session under 2(c)1 of the Open Meetings Act for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. Seconded by Commissioner Prochaska.

Roll call: Commissioners Cullick, Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, and Wehrli, aye. Opposed, none. Executive session called to order at 6:27 pm.

Commissioner Prochaska made a motion to adjourn from executive session. Seconded by Commissioner Cullick. Aye, all. Opposed, none.

Regular meeting reconvened at 6:48 pm.

XIV. Other Items of Business

None.

XV. Citizens to Be Heard

No public comments were offered by those in attendance.

XVI. Adjournment

Commissioner Cullick made a motion to adjourn. Seconded by Commissioner Prochaska. Aye, all. Opposed, none. Meeting adjourned at 6:49 pm.

Respectfully submitted,
David Guritz, Director, Kendall County Forest Preserve District